

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA

**FILED**

JAN 29 2009

*[Signature]*  
CLERK

CENTRAL DIVISION

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UNITED STATES OF AMERICA,

CR. 08-30101-KES

Plaintiff,

-VS-

HAROLD GEORGE VOICE,

Defendant.

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REPORT AND RECOMMENDATION  
FOR DISPOSITION OF DEFENDANT'S  
MOTION TO SUPPRESS

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Defendant, Harold George Voice, has filed a Motion to Suppress, Docket No. 13. Because Defendant's Motion is a dispositive one, this Court is only authorized to determine the same on a report and recommendation basis. See 28 U.S.C. §636(b)(1). Based on the findings, authorities and legal discussion made on the record at the January 27, 2009 hearing, the Court hereby

RECOMMENDS that Defendant's Motion be denied in all respects.

Dated this 29th day of January, 2009, at Pierre, South Dakota.

BY THE COURT:

*[Signature: Mark A. Moreno]*

MARK A. MORENO  
UNITED STATES MAGISTRATE JUDGE

ATTEST:  
JOSEPH HAAS, CLERK

BY:

*[Signature: Joseph Haas]*  
Deputy

(SEAL)

## **NOTICE**

**Failure to file written objections to the within and foregoing Report and Recommendations for Disposition within ten (10) days from the date of service shall bar an aggrieved party from attacking such Report and Recommendations before the assigned United States District Judge. See 28 U.S.C. § 636(b)(1).**